

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA	)	
	)	
	)	
Plaintiff,	)	Civil Action No. 2:10-cv-13101-BAF-RSW
	)	
v.	)	Judge Bernard A. Friedman
	)	
DTE ENERGY COMPANY, and	)	Magistrate Judge R. Steven Whalen
DETROIT EDISON COMPANY	)	
	)	
	)	
Defendants.	)	
	)	

**PLAINTIFF UNITED STATES' REPLY MEMORANDUM IN SUPPORT OF  
MOTION FOR PRELIMINARY INJUNCTION**

**EXHIBIT 13**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA

Plaintiff,

v.

DTE ENERGY COMPANY, and  
DETROIT EDISON COMPANY

Defendants.

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**SECOND DECLARATION OF  
ETHAN CHATFIELD**

I, Ethan Chatfield, declare as follows under penalty of perjury:

1. I am currently an environmental engineer employed by the U.S.

Environmental Protection Agency Region 5 (EPA Region 5), Air and Radiation Division.

I have been an engineer with EPA Region 5 Air & Radiation Division since March 2003.

2. My background is set forth in my original declaration, filed in support of the United States' motion for preliminary injunction in this case.

3. True and correct copies of the following documents that I am personally familiar with are being filed with my Second Declaration as Exhibits A through F in support of the United States' motion for preliminary injunction:

A. September 2010 DTE Prevention of Significant Deterioration Permit Application, Monroe Units 1 and 2

B. Michigan New Source Review Program Review

C. August 2, 2010 Detroit Edison Permit To Install issued by Michigan Department of Natural Resources and Environment for Monroe Units 3 and 4

- D. DTE Energy presentation to 2010 EEI Financial Conference, November 1-2, 2010
- E. February 2009 DTE Energy Powerpoint entitled, "Monroe Unit 2 Economizer Replacement" – FILED UNDER SEAL
- F. October 2009 DTE Energy Powerpoint entitled, "Monroe Power Plant Unit 2 Reheater Replacement" – FILED UNDER SEAL

4. The documents listed as E and F above were produced to the United States on August 2, 2010.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 18, 2010, in Chicago, Illinois.

  
Ethan Chatfield